

**CHAPTER NO. 738**

**SENATE BILL NO. 2209**

**By Cohen**

Substituted for: House Bill No. 2838

By Chumney

AN ACT To amend Tennessee Code Annotated, Title 9, Chapter 8, Part 3, to prohibit the retaliatory discharge of a state employee for filing a workers' compensation claim with the Claims Commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 8, Part 3, is amended by adding the following new section to be designated appropriately:


Section 9-8-3\_\_\_\_. (a) An entity of state government may not terminate a state employee for filing workers' compensation claim with the Claims Commission.

(b) Any employee terminated for filing workers' compensation claim may file a grievance in accordance with Tennessee Code Annotated, Section 8-30-328, alleging a violation of subsection (a).

SECTION 2. This act shall apply to all cases claiming retaliatory discharge for filing a workers' compensation claim against the State of Tennessee with the Claims Commission on or after July 1, 1992, pending or on appeal at the time of passage of this act and all arising on or after the effective date of this act.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**PASSED: March 26, 1998**

**APPROVED this day of 1998**

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**DON SUNDQUIST, GOVERNOR**

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had Senate Bill No. 2209 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.